

Report on the

# **Licensure Board for Interpreters And Transliterators**

**Montgomery, Alabama**



## **Department of Examiners of Public Accounts**

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*Ronald L. Jones, Chief Examiner*



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July 30, 2008

Representative Howard Sanderford  
Chairman, Sunset Committee  
Alabama State House  
Montgomery, AL 36130

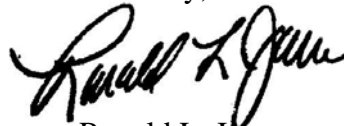
Dear Representative Sanderford,

This report was prepared to provide information for use by the Sunset Committee in conducting its review and evaluation of the operations of the **Licensure Board for Interpreters and Translitterators** in accordance with the *Code of Alabama 1975*, Section 41-20-9.

The report contains unaudited information obtained from the management, staff, and records of the **Licensure Board for Interpreters and Translitterators**, in addition to information obtained from other sources.

Please contact me if you have any questions concerning this report.

Sincerely,

A handwritten signature in black ink, appearing to read "Ronald L. Jones", written in a cursive style.

Ronald L. Jones  
Chief Examiner

Examiner  
Janet L. Berry



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# **PROFILE**

## **Purpose/Authority**

The Licensure Board for Interpreters and Transliterators was created by Act 98-675, *Acts of Alabama* to license and regulate the practice of interpreting and transliterating on behalf of consumers who are hard of hearing, deaf, or speech disabled. The *Code of Alabama 1975*, Sections 34-16-1 through 34-16-16 provides the current statutory authority for operation of the board.

## **Characteristics**

<b>Members and Selection</b>	Nine (9) - Appointed by the Governor <u>7</u> - Nominated by professional organizations: 4 from Alabama Registry of Interpreters for the Deaf (ALRID) 3 from Alabama Association for the Deaf (AAD) <u>2</u> - Appointed directly  <i>Code of Alabama 1975</i> , §34-16-4
<b>Term</b>	No member can serve more than two consecutive 4-year terms  <i>Code of Alabama 1975</i> , §34-16-4
<b>Qualifications</b>	<ul style="list-style-type: none"><li>▪ United States citizen</li><li>▪ Resident of Alabama</li><li>▪ (4) interpreters or transliterators certified at a professional level, one of whom must work in an educational setting</li><li>▪ (3) deaf or hard of hearing members who are knowledgeable in the field of professional interpreting</li><li>▪ (2) members at-large who have an interest in and are experienced in dealing with issues that affect the deaf, hard of hearing, and interpreting communities</li></ul> <i>Code of Alabama 1975</i> , §34-16-4
<b>Racial Representation</b>	No statutory requirement No minority race member

<b>Geographical Representation</b>	No statutory requirement
<b>Consumer Representation</b>	No specific statutory requirement.
<b>Other Representation</b>	No statutory requirement
<b>Compensation</b>	<p>Members receive no compensation, but are reimbursed for travel expenses in the same manner as state employees</p> <p><i>Code of Alabama 1975, §34-16-4(j)</i></p>

### **Operations**

<b>Administrator</b>	<p>The board contracts with Leadership Alliance, LLC of Montgomery, Alabama, to provide office space, administrative management, and logistical support. Paula Scout McCaleb, President of Leadership Alliance serves as the board's executive director.</p> <p>Contract amount - \$2,500 monthly</p>
<b>Location</b>	7550 Halcyon Summit Drive, Suite 125 Montgomery, AL 36117
<b>Examinations</b>	<p>The board is not involved in the examination of applicants; however, the board evaluates and approves the qualifications of applicants, which includes successful completion of examinations administered by other organizations.</p> <p>There are three levels of practice:              Non-renewable permit holders              Renewable permit holders              Licensees</p> <p><b>Non-renewable permit</b> applicants are not examined, but are permitted temporarily on the basis of recommendations by three licensed interpreters.</p> <p><b>Renewable permit</b> applicants must submit to the board proof of completion of a code of ethics examination approved by the board and proof of an interpreting performance assessment approved by the board. The board has approved the following performance assessments in its administrative rules:</p> <ul style="list-style-type: none"> <li>▪ Georgia Quality Assessment (GAQA) Levels 3, 4, and 5</li> <li>▪ Florida Quality Assessment (FLQA) Level 3</li> </ul>

	<ul style="list-style-type: none"><li>▪ Educational Interpreter Evaluation (EIE) Level 3</li><li>▪ Mississippi Quality Assessment (MSQA) Level 3</li><li>▪ Educational Interpreter Performance Assessment (EIPA) Levels 3.0 to 3.9</li></ul> <p><b>License</b> applicants must submit to the board proof of current certification by a nationally recognized organization approved by the board and proof of having completed a code of ethics examination approved by the board. Nationally recognized certifying organizations approved by the board are:</p> <ul style="list-style-type: none"><li>▪ National Association of the Deaf (NAD) as long as license has been transferred to RID;</li><li>▪ Registry of Interpreters for the Deaf, Inc. (RID).</li></ul> <p>Board approved Code of Ethics exams are:</p> <ul style="list-style-type: none"><li>▪ RID (offered on-line)</li><li>▪ NAD (offered on-line)</li><li>▪ EIPA</li><li>▪ Interpreter Ethics/Knowledge Test – administered by Jacksonville State University at the request of an applicant upon a two week notice</li></ul> <p>Source – Executive Director and Board Chair</p>																												
<b>Renewals</b>	<p>Licenses and permits are renewed annually on March 15.</p> <p><i>Code of Alabama 1975, §34-16-5</i></p> <p>Online renewals are available.</p> <p>Source – Executive Director</p>																												
<b>Licensees</b>	<table><tr><th><b>Interpreters</b></th><th>As of 5/2/08</th><th>Last Sunset Review</th><th>Gain or Loss</th></tr><tr><td>Licensed</td><td>96</td><td>63</td><td>&gt;33</td></tr><tr><td>Permitted</td><td>71</td><td>83</td><td>&gt;12</td></tr><tr><td>Educational</td><td>28</td><td>46</td><td>&lt;18</td></tr><tr><td>Provisional</td><td>20</td><td>17</td><td>&gt;3</td></tr><tr><td><b>Total</b></td><td>215</td><td>209</td><td>&gt;6</td></tr></table> <table><tr><th><b>Translitterators</b></th><td>0</td><td>0</td><td>0</td></tr></table> <p>Source – Executive Director</p>	<b>Interpreters</b>	As of 5/2/08	Last Sunset Review	Gain or Loss	Licensed	96	63	>33	Permitted	71	83	>12	Educational	28	46	<18	Provisional	20	17	>3	<b>Total</b>	215	209	>6	<b>Translitterators</b>	0	0	0
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<b>Reciprocity</b>	<p>The board is authorized to enter into a reciprocal agreement with any state, agency, or other organization that licenses, certifies, or registers professional interpreters or transliterators, or both, if the state, agency, or organization has substantially the same or more stringent requirements as Alabama. Currently, the board has no reciprocal agreements with any licensing organizations.</p> <p><i>Code of Alabama 1975, §34-16-8</i></p>																		
<b>Continuing Education</b>	<p>The board requires each licensed or permitted interpreter or transliterator to earn 2.0 CEU’s per a 12-month cycle, March 15<sup>th</sup> to March 15<sup>th</sup> or an aggregate of 8 CEUs in 4 years for those RID certified interpreters enrolled in the Certificate Maintenance Program (CMP).</p> <p><i>Code of Alabama 1975, §34-16-4(i)(8)</i> <b>Administrative Rule 488-X-1-.01</b></p>																		
<b>Employees</b>	<p>The board has no direct employees. The board contracts with Leadership Alliance, represented by Paula McCaleb for its administrative services.</p>																		
<b>Legal Counsel</b>	<p>Ward Beeson, Assistant Attorney General</p>																		
<b>Subpoena Power</b>	<p>None in the licensing statutes.</p>																		
<b>Internet Presence</b>	<p>The board’s internet address is: <a href="http://www.albit.state.al.us">www.albit.state.al.us</a> The website contains the following information:</p> <table><tr><td>Home</td><td>Address, Phone, Fax Number, E-mail address</td></tr><tr><td>Law</td><td>Alabama Licensure Law Alabama Licensure Law Amendment</td></tr><tr><td>Rules</td><td>Chapter 488-X-1</td></tr><tr><td>Code of Ethics</td><td>Code of Ethics</td></tr><tr><td>Forms</td><td>Forms Complaints Continuing Education</td></tr><tr><td>Board</td><td>Board Member Listing with addresses, phone, fax, and emails</td></tr><tr><td>Announcements</td><td>Public Notices, Conferences, Four Year Training Program Coming to AL</td></tr><tr><td>Updates</td><td>Dates of Board Meetings and Minutes of Board Meetings</td></tr><tr><td>FAQ</td><td>Complaints</td></tr></table>	Home	Address, Phone, Fax Number, E-mail address	Law	Alabama Licensure Law Alabama Licensure Law Amendment	Rules	Chapter 488-X-1	Code of Ethics	Code of Ethics	Forms	Forms Complaints Continuing Education	Board	Board Member Listing with addresses, phone, fax, and emails	Announcements	Public Notices, Conferences, Four Year Training Program Coming to AL	Updates	Dates of Board Meetings and Minutes of Board Meetings	FAQ	Complaints
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	Online Applications	Online Application, Apply Online, Online Permit Services, and News Release
	Conferences	Upcoming Conferences with links
	Links	RID NAD ALRID AAD Workshop Info TERPInfo (an informational bulletin board for interpreters)
	Rosters	Licensed Interpreters Permitted Interpreters, Educational Interpreters Provisional Interpreters
	Calendar	Board meeting dates SOS (Secretary of State's website) Board meeting minutes
	Staff	Names and e-mail addresses General Contact Information Physical Location
	Directions	Information - How to Get to the Board's Location
	Source – <a href="http://www.albit.state.al.us">www.albit.state.al.us</a>	
<b>Attended Board Member Training</b>	Executive Director	

### **Financial**

<b>Source of Funds</b>	License and permit fees  <i>Code of Alabama 1975, §34-16-9</i>
<b>State Treasury</b>	Yes, Fund 0959  <i>Code of Alabama 1975, §34-16-9(c)</i>
<b>Unused Funds</b>	Funds in excess of \$250,000 at the end of the fiscal year are to be available to provide for the education and training of interpreters and transliterators in postsecondary programs.  <i>Code of Alabama 1975, §34-16-9(d)</i>

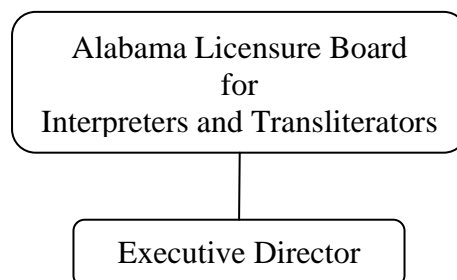
## **SIGNIFICANT ITEMS**

- 1. The board licenses and/or permits four categories of interpreters but does not license or permit transliterators.** The board's licensing law provides for the licensing of transliterators as well as for the licensing of interpreters. Throughout the board's licensing law, the word transliterator and/or transliteration is used. This classification of licensee is found in the board's Administrative Code Chapter 488-X-.1; in the board's request for funding; on the board's Internet website; and on associational (national and state) websites. However, the board does not license or permit transliterators.
- 2. The board did not provide performance data for the 2007 fiscal year SMART quarterly performance report.** Although the board developed performance goals and objectives for the 2007 fiscal year, actual performance data was not reported for the first two quarters or for the year in total.
- 3. Five of the seven board members responding to our questionnaires indicated the need for additional funding as a significant issue facing the board.** The average annual total of fees collected by the board was \$9,664.50 over the past four fiscal years. The board was able to obtain grants from the Alabama Institute for the Deaf and Blind of \$25,000 (2006) and \$15,000 (2007); however, as of July 2, 2008, no additional grants had been received. At its current level of fee collections, the board will not be able to sustain its monthly contract payment of \$2,500 for administrative services.

## **STATUS OF PRIOR SIGNIFICANT ITEMS AND FINDINGS**

All prior significant items and findings were resolved.

## **ORGANIZATION**



## **PERSONNEL**

The board has no direct employees. The board contracts with Leadership Alliance, LLC of Montgomery, Alabama, to provide office space, administrative management, and logistical support. Paula Scout McCaleb, President of Leadership Alliance serves as the board's executive director.

## **PERFORMANCE CHARACTERISTICS**

**Total Expenditures per Licensee (2006-2007 fiscal year)** - \$135.43

### **Number of Persons per Licensee in Alabama and surrounding States**

State	Population (Estimate) *	Number of Licensees	Persons per Licensee
Alabama	4,627,851	215**	21,524
Florida	18,251,243	***	
Georgia	9,544,750	***	
Mississippi	2,918,785	***	
Tennessee	6,156,719	***	

\* July 2007 US Census Bureau estimate

\*\* (May 2, 2008)

\*\*\* None of the surrounding states license Interpreters or Transliterators (May 9, 2008)

### **Notification of Board Decisions to Create or Amend Administrative Rules**

The board complies with the notification procedures prescribed in the state's Administrative Procedure Act. The board posts changes to its administrative rules on its Internet website.

### **Complaints**

The Board's Executive Director stated there have been no complaints received during the 2004-07 review period.

### **Complaint Process**

(1)	To file a complaint against an interpreter who has an Alabama license or permit but allegedly violates the Interpreter Code of Ethics, a person may use a general complaint form. The form may be completed and returned to the board within 90 days of the incident. Complaints may also be filed in the form of a letter or may be videotaped rather than using the complaint form, if a cover letter with the complainant's signature is included. No anonymous complaints are considered.
(2)	<p>Receipt of Complaint</p> <p>(a) When a complaint is filed an assigned board member will, within ten working days after the next meeting, notify the complainant in writing stating that:</p> <ol style="list-style-type: none"><li>1. The complaint has been received</li><li>2. A preliminary investigation will be done to verify the allegation(s)</li><li>3. The complainant may be contacted as part of the investigation</li><li>4. There is the possibility of a hearing before a circuit court in the jurisdiction of the residence of the interpreter, before which the complainant may be asked to appear and testify</li><li>5. The interpreter who becomes a defendant has 90 days, if found guilty, during which to appeal the decision.</li></ol>
(3)	<p>Defendant's Notification of Complaint</p> <p>(a) The defendant who has been named in the complaint and accused of violating the Code of Ethics or the Alabama interpreter licensure law will be notified via certified mail that a complaint has been filed. The notification letter to the defendant will include the following:</p> <ol style="list-style-type: none"><li>1. Summary of the complaint, including the dates and times of the alleged incident</li><li>2. Notification of his or her opportunity to respond in writing to the allegations</li><li>3. Notification that the deadline for responding is thirty (30) days from the date of notification</li></ol>

(4)	Preliminary Investigation. To determine whether any violations of the Alabama licensing law or the Registry of Interpreters for the Deaf Code of Ethics has occurred, the assigned ALBIT board member will initiate a preliminary fact-finding investigation that should be completed within 45 days after the date the interpreter was required to respond. The complainant may be contacted for clarification and verification of the information included in the complaint. The response from the defendant becomes a part of the preliminary investigation.
(5)	Witnesses. Individuals who have been named as witnesses will be notified via certified mail, with a request to provide a response regarding their recollection of the events that occurred during the alleged incident(s) cited in the complaint. The response may be submitted in written or videotaped form.
(6)	<p>Preliminary Investigation Results. After completion of the preliminary investigation, all information will be reviewed by board members and a determination will be made regarding further action.</p> <ul style="list-style-type: none"> <li>(a) If no evidence is found to substantiate the allegations, the defendant will be notified in writing of the decision to terminate the processing of the complaint due to lack of evidence.</li> <li>(b) If violations have occurred, the board will proceed to act on the complaint.</li> <li>(c) The board will make recommendations of disciplinary action before the board invites the defendant to attend an informal conference on the accusations.</li> <li>(d) If the offense is obvious and the evidence very clear, a recommendation for the defendant to voluntarily surrender his or her license/permit to board is an acceptable course of action.</li> </ul>
(7)	<p>Notification of Informal Conference and/or Mediation Procedures. An informal conference and/or mediation procedures may be held to provide the opportunity for the defendant to state his or her case in person and to discuss the complaints made.</p> <ul style="list-style-type: none"> <li>(a) The board members will notify the defendant in writing of the scheduled date, time, and location of the conference and/or mediation procedures.</li> <li>(b) During the conference and/or mediation procedures, the board members may present the findings from the investigation to the defendant followed by the recommendation for disciplinary action.</li> <li>(c) If the defendant accepts the proposed disciplinary action by the board members, an agreement will be signed by both parties stating that the defendant waives his or her right to a formal hearing by way of accepting the terms of the disciplinary action.</li> </ul>
(8)	<p>Notification of Formal Hearing</p> <ul style="list-style-type: none"> <li>(a) If the defendant does not accept the board proposal, the case will be referred to the circuit court in the jurisdiction of the residence of the defendant interpreter.</li> <li>(b) The board members will notify all parties involved via certified mail of the scheduled hearing date, location, and time.</li> </ul>
(9)	Legal Counsel. Legal counsel for the board or the other parties involved may be present during the court hearing.

(10)	<p>Circuit Court Resolution. After the circuit court has heard and reviewed all of the evidence presented from both parties, a written decision will be rendered. Upon receiving the decision from the judge, the members of the board will notify the parties involved of the court's decision, after which action may be required in a meeting of the board.</p> <p>Source – Executive Director</p>
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## **SMART BUDGETING**

As a part of the SMART Budgeting system, each agency is required to submit its goals and objectives to the Department of Finance - the goals to be stated as long-term, multi-year targets to be achieved through accomplishment of objectives, which are single-year targets. The goals and objective should be designed to be measureable that progress toward their achievement can be measured and reported. The SMART Budgeting system includes an Operations Plan and a Quarterly Performance Report.

The board's 2007 and 2008 SMART Quarterly Performance Reports appear in the Appendices of this report.

The board's performance goals and objectives for the 2007 and 2008 fiscal years and the examiner's comments are presented in the following table.

2007 Goals	Comments
G 1 – To regulate the practice of interpreting and transliterating on behalf of consumers of all ages who are hard of hearing, deaf, or speech disabled in the best interests of their health, safety, and welfare. (GP-4)	The goal is a general statement of work to be done and not a target level of performance.
G 2 – To prevent or cause to desist the practice on interpreting without state credentials or in situations in which the interpreter is interpreting out of field. (GP-4)	The goal is a general statement of work to be done and not a target level of performance.
G3 – To administer a continuing education program (CEP) to improve the skills of licensees and permit holders to participate in the process of developing and Interpreter Training Program in Alabama. (GP-1)	The goal is a general statement of work to be done and not a target level of performance
G4 – To follow the guidelines of the Alabama Administrative Code, the Alabama Fiscal Policy and Procedures Manuel, and ALBIT own rules and regulations. (GP-1)	The goal is a general statement of work to be done and not a target level of performance.
G5 – To issue licenses and permits to qualified applicants and to provide responses to appropriate requests in a timely manner. (GP-1)	The goal is a general statement of work to be done and not a target level of performance

<b>2007 Objectives</b>	<b>Performance Indicator</b>	<b>Reported Performance</b>	<b>Comments</b>
<b><u>Efficiency</u></b> EF1 - Administrative cost spent per license, permit, or complaint investigation, not including volunteer man hours.	Dollars based on Expenses per number of interpreters.	0	No target level of performance stated.  No performance data reported
<b><u>Quality</u></b> QU1 - Percentage of calls and mailings answered within 8 – 10 business days.	Per Cent	0	No target level of performance stated, but no reported data to compare to.  No performance data reported
QU2 – Percentage of applications processed within 15 business days	Per Cent	0	No target level of performance stated, but no reported data to compare to.  No performance data reported
QU3 – Percentage of notices sent to all working Interpreters who did not renew licenses or permits.	Per Cent	0	No target level of performance stated.  No performance data reported
QU4 – Percentage of reported Interpreting without a license documented violations submitted to the District Attorney	Per Cent	0	No target level of performance stated.  No performance data reported
QU5 – Percentage of complaint investigations within 60 days of notice	Per Cent	0	No target level of performance stated.  No performance data reported

<b>2008 Performance Report</b>				
<b>Goal</b>	<b>Objective</b>	<b>Unit of Measure</b>	<b>Target</b>	<b>Comment</b>
G1 – To regulate the practice of interpreting and transliterating on behalf of consumers of all ages who are hard of hearing, deaf, or speech disabled in the best interests of their health, safety, and welfare.	(Q1- Efficiency) Administrative cost spent per license, permit, or complaint investigation.	Dollars based on expenses / # interpreters	200	Goal has no long-term performance target stated.  Objective addresses three items to be unit costed. To address all three, three objectives are needed.

## **FINANCIAL INFORMATION**

The board operates from the State Treasury and processes its financial transactions through Fund 0959. Year-end balances are preserved for use of the board. The *Code of Alabama 1975*, Section 34-16-9(d) requires that funds in excess of \$250,000 at fiscal year-end are to be available to provide for the education and training of interpreters and transliterators in postsecondary programs.

### **Schedule of Fees**

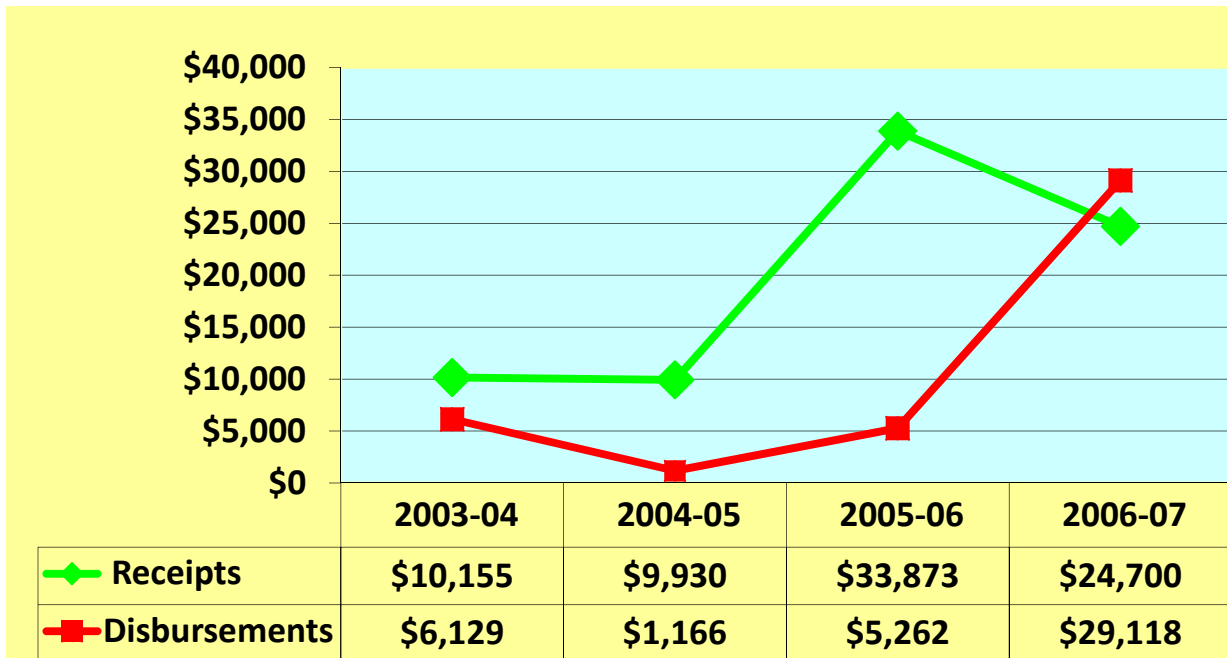
<b>Fee</b>	<b>Statutory Authority</b>	<b>Amount</b>
Application fee	§34-16-5(b)	\$35.00
Renewal fee	§34-16-5(b)	50.00
Returned check fee	§8-8-15	25.00
Late fee assessed on applications postmarked after March 15 <sup>th</sup>	§34-16-5(d)	10.00
Replacement of License or Permit	AG Opinion 2007-067	7.00
Upgrading of Educational Permit to Renewable Permit or Permit to License	§34-16-4	No charge
Roster fee	AG Opinion 2007-067	35.00
<b>Administrative Fine</b>		
Not to exceed	§34-16-11	\$1,000.00

**Schedule of Receipts, Disbursements, and Balances**  
**Alabama Licensure Board for Interpreters and Transliterators - Fund 959**  
**October 1, 2003 through September 30, 2007**

	<u>2006-2007</u>	<u>2005-2006</u>	<u>2004-2005</u>	<u>2003-2004</u>
<b><u>Receipts</u></b>				
Licensing Fees	\$ 9,700.00	\$ 8,873.30	\$ 9,930.00	\$ 10,155.00
AIDB * Grant	15,000.00	25,000.00		
Total	24,700.00	33,873.30	9,930.00	10,155.00
<b><u>Disbursements</u></b>				
Personnel Costs				2,175.00
Employee Benefits				166.39
Travel-in-State	2,218.51	2731.66		1,082.60
Utilities and Communications	762.85	38.94		189.90
Professional Services	24,824.31	1410.37	540.00	709.86
Supplies, Materials, and Operating Expense	1,312.69	1080.68	626.05	1,805.27
Total	29,118.36	5,261.65	1,166.05	6,129.02
Excess (Deficiency) of Receipts over Disbursements	(4,418.36)	28,611.65	8,763.95	4,025.98
Cash Balances at Beginning of Year	46,519.99	17,908.34	9,144.39	5,118.41
Cash Balances at End of Year	42,101.63	46,519.99	17,908.34	9,144.39
Reserved for Unpaid Obligations	5,000.00	28,771.34	5,085.31	(2,760.00)
Unreserved Cash Balances at End of Year	\$ 37,101.63	\$ 17,748.65	\$ 12,823.03	\$ 9,144.39

\* AIDB - Alabama Institute for Deaf and Blind

### Operating Receipts Vs Operating Disbursements (Chart)



Note: Receipts include grants received from the Alabama Institute for the Deaf and Blind: \$25,000 in 2005-06 and \$15,000 in 2006-07.

# **QUESTIONNAIRES**

## **Board Member Questionnaire**

Questionnaires were sent to nine board members. Seven responded.

**1. What are the most significant issues currently facing the Alabama Licensure Board for Interpreters and Transliterators and how is the Board addressing these issues?**

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*R1.* “License requirements for educational interpreters researching.”

*R2.* “The need for a stable revenue, large and permanent enough to pay for professional board administration. A lack of clarity on what we can do to be proactive re: getting a pool of truly qualified interpreters for the state.”

*R3.* “Funding is the largest issue. We are currently working with PSC in an attempt to receive continued funding.”

*R4.* “Funding – currently approaching institutions for funding”

*R5.* “Funding for responsibilities as charged the AL Legislature”

*R6.* “Lack of funding by the Public Service Commission to sustain the Board’s operations.”

**2. What changes to the Alabama Licensure Board for Interpreters and Transliterators laws are needed?**

  3   Blank

*R2.* “We have been warned not to tamper with the law for fear that the outcome might be worse than the law is now or put it in jeopardy.”

*R3.* “Revisions to provisional permits. Limits on renewal of permits.”

*R4.* “To address the issue of Certified Deaf Interpreters”

*R6.* “There needs to be a mentoring or shadowing program to pair up licensed interpreters with Permitted Interpreters to help the Permitted Interpreter. improve their skills to become licensed. There should be a limit on how many times a permit can be renewed.”

**3. Is the Alabama Licensure Board for Interpreters and Transliterators adequately funded?**

\_\_\_\_\_ Yes        7   No      \_\_\_\_\_ Unknown      \_\_\_\_\_ No Opinion

**4. Is the Alabama Licensure Board for Interpreters and Transliterators adequately staffed?**

  6   Yes        1   No      \_\_\_\_\_ Unknown      \_\_\_\_\_ No Opinion

**5. What is the purpose of your fiscal yearend balance of unobligated funds?**

  3   Blank

*R2.* “Stability of administrative funding. To increase public awareness of the law and people’s responsibility under the law”

*R3.* “Funds are needed if legal intervention is needed in a matter involving a permit or license holder.”

*R5.* “To continue to permit and license Interpreters and uphold the law for the safety and welfare of deaf and hard of hearing people in AL.”

*R7.* “Update and maintain interpreting quality – ensure that the deaf consumers receive appropriate services, for education, social, and personal needs.”

## Licensee Questionnaire

Questionnaires were sent to 195 licensees. 103 responded. Questionnaires were divided accordingly:

	Sent	Received
Licensed Interpreters	85	48 (56%)
Permitted Interpreters	64	33 (52%)
Educational Interpreters	27	12 (44%)
Provisional Interpreters	19	10 (53%)
Total	195	103 (53%)

Responses from questionnaires and their tabulations follow:

**1. Do you think regulation of your profession by the Alabama Licensure Board for Interpreters and Transliterators is necessary to protect public welfare?**

	Yes	No	Unknown	No Opinion	No Response
Licensed	45	2	1		
Permitted	28	4	1		
Educational	9	1		1	1
Provisional	9	1			
Total	91	8	2	1	1

**Licensed Respondents:**

R12. "Seems that the role is not that important. If that means help provide qualified interpreters"

R35. "\* if regulated efficiently, professionally, politely, and with competence – all lacking"

**Permitted Respondents:**

R28. "Absolutely!"

R31. "I was previously licensed. Will not join RID to keep license."

**2. Do you think any of the Alabama Licensure Board for Interpreters and Translitterators laws, rules, and policies are an unnecessary restriction on the practice of your profession?**

	<b>Yes</b>	<b>No</b>	<b>Unknown</b>	<b>No Opinion</b>	<b>No Response</b>
<b>Licensed</b>	4	42	1	1	
<b>Permitted</b>	8	23	1		1
<b>Educational</b>	5	6			1
<b>Provisional</b>	3	7			
<b>Total</b>	20	78	2	1	2

**Licensed Respondents:**

*R12.* “Maybe cumbersome. Some policies seem very restrictive and cumbersome for new people or people moving from other areas”

*R35.* “1. How the provisional permit is handled – does not foster growth of new interpreters. 2. Too complex”

**Permitted Respondent:**

*R17.* “Job coaches need to be excluded and some exceptions made”

**Provisional Respondent:**

*R7.* “One problem is having to be certified by RID if one wants to be licensed to work. I do not want to partner with RID and there is not another organization doing testing that RID offers.”

**3. Do you think any of the Alabama Licensure Board for Interpreters and Translitterators requirements are irrelevant to the competent practice of your profession?**

	<b>Yes</b>	<b>No</b>	<b>Unknown</b>	<b>No Opinion</b>	<b>No Response</b>
<b>Licensed</b>	8	39		1	
<b>Permitted</b>	9	19	4		1
<b>Educational</b>	3	7	1		1
<b>Provisional</b>	1	9			
<b>Total</b>	21	74	5	1	2

**Licensed Respondent:**

*R44.* “Some requirements need to be revised – adjusted”

**Permitted Respondent:**

R6. "I think 20 CEU's is a little high. Physical therapists are only required to have 6 - 10 CEU's in our state."

**4. Are you adequately informed by the Alabama Licensure Board for Interpreters and Translitterators of changes to and interpretations of board positions, policies, rules and laws?**

	Yes	No	Unknown	No Opinion	No Response
Licensed	23	17	7	1	
Permitted	12	15	5	1	
Educational	2	7	2		1
Provisional	2	3	5		
Total	39	42	19	2	1

**Licensed Respondent:**

R12. "Website, Terpinfo, mailings"

**Permitted Respondent:**

R23. "I am first time permit"

**Provisional Respondents:**

R4. "too soon for me to know"

R6. "Recently received my provisional permit"

**5. Has the Alabama Licensure Board for Interpreters and Translitterators performed your licensing and renewal in a timely manner?**

	Yes	No	Unknown	No Opinion	No Response
Licensed	31	15		1	1
Permitted	26	6		1	
Educational	9	1		1	1
Provisional	8	2			
Total	74	24		3	2

**Licensed Respondents:**

R1. "Yes, once—No, most often"

R3. “Though it is getting better”

R7. “this year! not 2007”

R12. “This year yes, last year no”

R17. “I get them but in a timely manner.”

R20. “Much better than in the past”

R23. “07 – I was not added to the list of licensed interpreters. I had to provide recertification that I had paid and renewed my license.”

R30. “Most of the time”

R34. “(Lately)”

R38. “Late sending cards”

**Permitted Respondents:**

R26. “This past year”

R28. “I did not receive my permit card for the Mar 07 – Mar 08 cycle until Feb 08, just before the cycle was over and have not received and 08-09 cycle card yet.”

**Provisional Respondent:**

R10. “Even when they were unable to give me my permit card they sent a letter that I was able to present to my employer until my card was printed and arrived.”

**6. Do you utilize the Alabama Licensure Board for Interpreters and Translators online renewal system?**

	<b>Yes</b>	<b>No</b>	<b>Blank</b>
<b>Licensed</b>	44	3	1
<b>Permitted</b>	31	2	
<b>Educational</b>	11	1	
<b>Provisional</b>	2	8	
<b>Total</b>	88	14	1

**Permitted Respondents:**

R5. “(not every time though)”

R26. “Only once before”

**Provisional Respondents:**

R6. “Have not renewed yet – recently received provisional permit”

R8. “New License”

**If yes, are you satisfied with the process?**

	<b>Yes</b>	<b>No</b>
<b>Licensed</b>	38	6
<b>Permitted</b>	26	5
<b>Educational</b>	11	
<b>Provisional</b>	2	
<b>Total</b>	77	11

**Licensed Respondents:**

R4. “Very”

R26. “but hate added cost!”

R30. “Satisfied but concerned with how long it takes sometimes. It’s getting better. Thanks.”

R31. “My records were lost for one year. I had a license, had paid my dues and was interpreting in the community; however there was no record of me in the system. It takes months to receive a new license. If we expect hospitals, schools, and other agencies to take one law seriously, we need to be prepared to show our license to these agencies and quickly send in copies of our renewed license.”

**If not satisfied, what problems have you experienced?**

**Licensed Respondents:**

R12. “This year was much better than last year.”

R18. “This, the 1<sup>st</sup> year I have received my license on time, although I have renewed online every year since it started.”

R22. “It is NOT user friendly!”

R26. "Our profession is costly to get – continue CEU's and pay RID dues and now additional costs in the state. Everyone adds costs to the "cost of being a profession and doing business!!!!"

R40. "Very, very slow to send my card. I like the online printout certificate. Good idea!"

R44. "but it's pointless – still end up having to print out and send via US mail."

**Permitted Respondents:**

R1. "Exposed personal info on web – my credit card was compromised."

R11. "When I used the system last year, it took almost an entire year before I received my new card."

R20. "Security was a problem last year. Hopefully it has been corrected. However, I do like the convenience of renewing on line, and hope it will continue."

R23. "I thought trying to get a permit on line for the first time was a little vague."

R26. "None – I don't like my debit card number used on the internet. I am afraid of identity theft."

R28. "I wish payment by check or debit card was an option."

R29. "In 2007, I never received my card and was cautioned in the summer to stop interpreting because I had not renewed. It was a long process to get everything straightened out."

R30. "Didn't understand necessity of a \$4 processing fee which was mentioned only at the end of the transaction."

R31. "Yes, However...some of the information on the website is old---ie, phone numbers"

**Provisional Respondents:**

R1. "I haven't used it yet."

R2. "first year, haven't attempted renewal"

R4. "have not yet renewed"

R7. "I've not used it yet."

**7. Do you consider mandatory continuing education necessary for competent practice?**

	<b>Yes</b>	<b>No</b>	<b>Unknown</b>	<b>No Opinion</b>	<b>No Response</b>
<b>Licensed</b>	42	5			1
<b>Permitted</b>	29	4			
<b>Educational</b>	8	4			
<b>Provisional</b>	9		1		
<b>Total</b>	88	13	1		1

**Licensed Respondent:**

*R26.* “It is required by RID!”

**Permitted Respondents:**

*R20.* “The interpreters I work with are continually improving their skills.”

*R31.* “I go hear the same info presented as 20 years ago; just to keep up CEU’s”

**Educational Respondents:**

*R2.* “Many cannot afford it”

*R8.* “I think 20 hours to renew certification each year is too much. 8 – 10 hours or 1.0 CEU should be adequate for renewal.”

*R10.* “But there is not enough education for interpreter in the educational system”

**Provisional Respondents:**

*R1.* “But not as many.”

*R4.* “my professional board regulates!”

*R10.* “absolutely”

**8. Has the Alabama Licensure Board for Interpreters and Transliterators approved sufficient providers of continuing education to ensure your reasonable access to necessary continuing educational hours?**

	<b>Yes</b>	<b>No</b>	<b>Unknown</b>	<b>No Opinion</b>	<b>No Response</b>
<b>Licensed</b>	29	7	6	4	1
<b>Permitted</b>	21	7	5		
<b>Educational</b>	5	6	1		
<b>Provisional</b>	6	1	3		
<b>Total</b>	61	21	15	4	2

**Licensed Respondents:**

*R7.* “Not applicable to sign language interpreters Available nationwide”

*R12.* “ALBIT accepts RID – that helps”

*R20.* “However, it is difficult to attend workshops, or find them in my area/Talladega.”

*R44.* “poor job of communicating what is approved, etc.”

**Permitted Respondent:**

*R11.* “It is getting better.”

**Educational Respondents:**

*R2.* “Nothing for educational interpreters”

*R8.* “It is very difficult with working full time to attend continuing education opportunities. Most of the opportunities are during the day when we are at school.”

**Provisional Respondent:**

*R1.* “But lots of travel is required which is often difficult.”

**9. What do you think is the most significant issue(s) currently facing your profession in Alabama and what is the Alabama Licensure Board for Interpreters and Transliterators doing to address the issue(s)?**

**Licensed Respondents:**

10 No Response

*R1.* “Lack of an interpreter prep. program. Monarchy board leadership. One family overly positioned in decision making seats. Lapdog appointees whose interests are not in deaf Alabamans nor interpreters but politicians will and Dept. of Ed., dirty dealing.”

*R2.* “Lack of accountability in hiring qualified interpreters. ALBIT is the only proven method of improving/addressing this issue.”

*R3.* “The lack of a training program has hampered the profession in Alabama. ALBIT has been an instrumental force in the implementation of such a program at Troy University. Kudos!”

*R4.* “Hiring of below standard interpreters in the school systems and their isolation from the profession. I think ALBIT has made strides in trying to help all interpreters have an avenue to remedy that. There’s still a long way to go.”

*R5.* “Educating public about this profession and helping interpreters/transliterators work in compliance. ALBIT offers info, supports AAD, ALRID, COSA, and other government agencies as they provide services and comply with law.”

*R6.* “There is a shortage of qualified educational interpreters in the state, but I believe there are unqualified persons filling interpreter positions in the school systems. With the new program opening at Troy State, I hope ALBIT will be more active in seeing that educational interpreters are qualified for their positions.”

*R7.* “In 2007 – processing applications and providing documentation (cards – license) to interpreters did not occur until 9-10 months into the cycle. 2008 much improved.”

*R9.* “Identifying “interpreters” working within the school systems who are under other classifications. Educating the systems and the interpreters about licensure requirements. ALBIT is working with the SDE on these issues, I believe.”

*R10.* “I am retired and on disability. Its very hard to earn CEU’s since I don’t know about them. Besides, I’ve been Nationally Certified since May 1985. I keep up with their CEU requirements. That should be enough...90 hours in 4 years. I got all mine in the 1<sup>st</sup> 2 years.”

*R11.* “I think that sometimes interpreters have been involved in many things that are more valuable than CEU’s and it is hard to go through the process to qualify for CEU’s-- --.”

*R12.* “(1) Availability of Training Programs to train/produce more interpreters. (2) The amount of time/energy a new interpreter be invested before a new interpreter emerges i.e. It takes years to become skilled enough to pass assessments to be permitted/licensed. (3) Shortage of interpreters especially willing to work in schools and rural areas.”

R13. “Need interpreter training programs – Need more applicable workshops”

R14. “(1) Educational Interpreters will soon be required to be licensed as professional interpreters (good!), but they are not paid or treated as professionals in most school systems. Really good interpreters are thus not drawn into K-12 interpreting. (2) There is not enough being done to ensure that interpreters in general are adequately paid for their services.”

R17. “Ensure interpreters are qualified! and licensed!”

R18. “The most significant issue is having enough interpreters to fill all of the needs. The law will eventually help to have qualified interpreters, but in the short run it has hindered to some degree.”

R19. “I don’t know.”

R20. “More interpreters are needed. I’m not sure what ALBIT can do with this other than making sure they are able to streamline the process for what they do. Possibly provide via the internet-publicity or information on a regular basis-monthly-of the continuing education opportunities, job opportunities, etc. It was very good that ALBIT adopted the RID’s CMP schedule. That makes it easier for us to keep both sets of requirements up to date.”

R21. “Licensure of Educational Interpreters seems to be the most pressing issue. ALBIT is working with the State Department of Education to resolve this issue.”

R22. “Unlicensed or untrained interpreters in the school systems. Lack of pay in the school systems. Not enough pay increase in general.”

R25. “Many of us older, licensed interpreters are soon looking toward retirement. Alabama needs to recruit, train, qualify, and license more young people. ALBIT and the rest of us support Troy University and other stakeholders in their efforts to establish an Interpreter training program in our state.”

R26. “1 – Hugh shortage of interpreters

1A – ALBIT restricts it even more!

2 – ALTIT’s not in sync with RID in time between taking written test and performance test.

2A – ALBIT makes it hard for people with good skills – to make their skills improved enough to pass performance test within one year. They are causing bigger shortage for Alabama.”

R27. “1. Most significant issue still seems to be the availability of Qualified interpreters for the demand (I don’t feel there is a shortage – just scheduling problems with availability).

2. Hopefully supporting the new 4 year proposed ITP at Troy State”

R28. “Lack of interpreters that are qualified. Some members of the board have increased the shortage by staging a “witch hunt” against qualified people. This sad attempt to maintain control over others’ lives and livelihoods is an embarrassment to ALBIT.”

R29. “Lack of approved workshops offered in the state of Alabama. Unsure what the board is doing to address the issue. Renewal cards are not sent out in a timely manner. There seems to be a delay.”

R30. “The need to bridge between those who are not aware of ALBIT or the necessity of credentials, new graduates of ITP’s, and licensed interpreters. It’s an ongoing “crisis” that seems very slow in changing.”

R31. “I believe other states certification systems should be taken into consideration when a person moves to Alabama. Especially if it is a state certification from a state like Texas that is highly respected and known to have high standards. It is too difficult to transfer from another state to Alabama. I also think the non-renewable one year permit sets people up for failure. It is very difficult to schedule (illegible) and pass both tests before the year is over and there is not enough support for new interpreters in the area. There needs to be a system in place that supports and encourages interpreters new to the field. Our system keeps interpreters with good potential from having success. We also need testing sites in our state. People have to travel out of state to take the tests our state requires. And other QA testing sites give preferred treatment to their state residents. This makes it ever more difficult. There are only a few seats saved for out of state residents, while many are held for in-state residents. This is especially true for Florida.”

R33. “For a state that requires license it is imperative to have a RID test center and another test for interpreters who are “permit skill” ready, but have little access to testing to achieve a permit. I have no clue what the Board is doing to address this issue.”

R34. “Tracking current license/permit status. Several individuals working that shouldn’t be in accordance with the law.”

R35. “Funding. The Licensure Board has done a very good job of keeping the licensure fees as low as possible. If the PSC funding is cut, the fees will increase causing hardship for interpreters.”

R37. Summary Response (from 6 page letter attached to questionnaire):

- 1.) “A lack of licensed interpreters (also identified as a national problem).
- 2.) A definitive variance in the quality of licensed interpreters, due to:
  - a.) Setting the certification level at NAD III (to low in the respondents opinion)
  - b.) Generalized licensure rather than licensure for specific settings (K-12, business, hospitals, colleges, etc.) based on the skill set associated with specific national certifications,

- c.) Grandfathering in of interpreters who could not now pass national certifications,
  - d.) Impediments to licensure of novice interpreters (lack of any in-state interpreter training, a mentoring program, or support geared toward certification.)
- 3.) The respondent suggests modeling Alabama enabling statutes and board operations after Kentucky.
  - 4.) Respondent 37 expresses much dissatisfaction with the licensing process and competency of the Board staff.”

*R39.* “Law enforcement and hospitals not following the law by calling an interpreter when needed.”

*R40.* “I was already doing everything that ALBIT requires of interpreters. ALBIT provides no benefit to me, a working interpreter, yet I have to pay \$55 a year to do my job.”

*R41.* “The biggest problem I see is “interpreters” working without permits or license and it being a problem to report. If no one is willing to report or police in our profession then license is worthless in my opinion. We need a better way to report those who are not following the law.”

*R42.* “The recent issue of confidentiality when personal identifiable info was posted on the internet was a serious concern. Little or no communication from the Board Re: issues, regulations etc. is a negative.”

*R44.* “I feel as if ALBIT is doing nothing to benefit the interpreter – there is so much that could be done... i.e. better organization, education, support, etc.”

*R45.* “Noncompliance. People working as sign language interpreters who are not credentialed. Their skills are untested and unproven – even substandard. It appears the Board is finally addressing this issue – much more needs to be done.”

*R46.* “We need to be “growing” more interpreters. There is an alarming shortage in Alabama. Troy State University is establishing a training program, and ALBIT is a part of that process.”

*R47.* “There should be greater collaboration with universities to train more interpreters as there is a critical shortage.”

**Permitted Respondents:**

    9     No Response

R3. “The most significant issue is that we need to have an ITP program in our state. I do not know how ALBIT can help with providing us with this.”

R5: “\* education of community regarding importance of securing permitted/licensed interpreters for community needs. ALBIT is addressing this issue through upholding its own mission.”

R7. “Schools still being allowed to use unqualified interpreters.”

R8. “Community knowledge and use of interpreters”

R9. “More workshops are needed in Southern Alabama. It is extremely difficult (in fact, impossible) to get my CEU’s near my area.”

R10. “The most significant issue for me is pay --- I do realize the licensure Board can’t control the salary matrix for each interpreter. As long as we are governed by the Licensure Board, we have a little more leverage to gain a higher pay.”

R11. “I don’t feel like there is enough training opportunities in the state of Alabama to allow interpreters to keep up with the requirements. Many times I have to go to other states for training and to take tests.”

R12. “There seems to be a shortage of qualified, permitted and or licensed interpreters. The training programs in the past were very beneficial in educating new interpreters. I do not know if any are being offered now!”

R13. “Lack of training opportunities, Lack of testing/evaluations opportunities, Lack of adequate information regarding CEU classes/workshops”

R16. “The need to have apprenticeship program for new interpreters who are not yet certified but need work experience in order to improve their skills towards certification while being gainfully employed. Nothing that I know of is being done.”

R17. “As a agency that schedules interpreting services our biggest issue is making sure that public is aware of the law.

\*ALBIT needs to do more to educate the public of the law or else it is pointless. To send an interpreter out in the community and then have to “argue” with the community that interpreting is not a free service and that the Deaf person does not pay-- that the office requesting the interpreter is responsible for payment under ADA law is a never ending battle at our agency. ALBIT needs to educate the public! Also—Job coaches need to be excluded from the law – if ADRS (Alabama Dept. of Rehab Services) counselors are excluded it needs to be fair across the board to all agencies that provide similar services.”

R18. "I feel the "turf" issue is a major problem. Most licensed interpreters don't want new interpreters on their "turf." ALBIT are doing nothing to address the issue because they are in the click."

R19. "There is a lack of qualified interpreters in the state. I am not sure what ALBIT is doing about this. I do know they are preparing to add additional requirements for interpreting that I am unsure are necessary at this time."

R20. "Training of new Interpreters"

R21. "Alabama is one of the few states who regulate continuing education and permit/licenses. I believe the monitoring of CEU's should be regulated by RID, as opposed to the state. I know of several highly skilled interpreters who are unable to be of service to the Deaf community because of the laws of this state. I feel that the rules and regulations have good intentions but ultimately end up adding an unnecessary level of bureaucracy to the problem.

There are NOT enough professional development (CEU opportunities) offered to fulfill the annual required 20 hours of workshops. We are often forced to seek CEU's by going to other states.

I share the opinion of several of my colleagues who believe the ALBIT rules and regulations are a hindrance to our profession."

R23. "Training for Interpreters needs to be available and affordable."

R24. "Increasing requirements without the board's or state obligation of providing training or testing so that candidates can meet requirement."

R25. "The recent national testing systems; what's accepted, what's not, etc..."

R26. "I don't like the fact that one has to score 4.0 or 3.5 to be approved. There are not enough interpreters now. The college education does not seem to prepare you for the RID testing."

R28. "I believe that opportunities for improving one's skills are insufficient or/and difficult to access due to the distance(s) we must travel for workshops/conferences, etc. I wish more opportunities for CEU's were available in my city."

R30. "It's difficult to get testing in the state of Alabama for RID."

R31. "Serious shortage of interpreters in the school system. However, the number of signing deaf people (kids) is dropping due to cochlear implants. For those still employed and interpreting in the schools, no workshops are offered through the schools. You can't take off and go to a workshop without leaving your kid without interpreter. State should administer their own turf. It should be offered periodically in each of the major cities, covering all areas of the state. The license, as it stands, serves RID and a few interpreters in the state, NOT THE DEAF CHILDREN in the school."

R32. “1. While presently the law addresses the unqualified interpreters who accept positions (without a license or permit), the present ALBIT law does not directly address employers who hire them. As a result, such violations go unreported resulting in continued sub-standard delivery (particularly in pre K–12 education).

2. Despite recent efforts at offering formal Interpreter Training Programs, the fact that many school systems and some agencies continue to pay poor salaries, undermines incentives to enter and remain in the interpreting profession.

3. While adequate competitive interpreter salary scales may not be the privy of ALBIT, the State Department of Education in conjunction with ALBIT and other advocates could lead to developing a salary matrix addressing degree of education and years of experience/type of experience similar to that of the teaching profession. If for teachers, why not for interpreters?”

R33. “The most significant issue is the nationwide shortage of interpreters. The Licensure Board should do more to encourage new blood – younger people – into the field. There should be ways to train interpreters and a testing process in Alabama, so interpreters are not required to go out of state to satisfy the licensure requirements.”

#### **Educational Respondents:**

1 No Response

R1. “Adequate training. We must seek CEU training and sometimes have to go to TV to complete CEU’s by March each year. We need to have standardized training during school year.”

R2. “lack of “certified” interpreters, ALBIT’s board and other interpreters are turning people away who are interested in becoming an interpreter. Deaf students are suffering because of the unreasonableness of ALBIT, but they have stood in the way or made it extremely difficult to hire interpreters because they did not meet some artificial standard that is not required by law. We need interpreters now! It should be up to the school board to determine if a person is skilled enough to interpret in a particular setting. I think ALBIT is out of touch with the reality of this dire situation. The law needs to be development should be provided for each mode; not just ASL.”

R3. “Alabama needs a better way to train and monitor educational interpreters. Training should incorporate language development in children both hearing and deaf. There are too many students going without qualified educational interpreters.”

R4. “We have hundreds of people practicing educational interpreting in Alabama schools without a permit or license. Nothing is being done about these people breaking the law.”

R5. "A shortage of educational interpreters/transliterators. Lack of accessible training. It is my understanding that a group of organizations, \* are in the process of establishing a training program in Alabama, much of it distance learning online. I believe ALBIT is involved in this effort to some degree."

\*including the State Department of Education

R6. "As an educational interpreter, I feel there are not enough workshops that deal with education. I also feel that the workshops offered are usually a good distance for us to travel, and are not beneficial to the educational interpreters."

R7. "School systems getting by with using Hearing Impaired teachers to interpret. State Dept. of Alabama not being forced to comply with law."

R8. "I think the lack of qualified Interpreters is a major issue and I see very little being done to nurture/foster or encourage more Interpreters. Most Interpreters in educational settings feel very intimidated by the board."

R9. "I am an ed. interpreter/teacher and not paid for my skills, but one problem I see is too much competition between interpreters and their abilities. Also it's like they're an elite group and for new people, wanting to become interpreters, cannot get sponsorship to become interpreters, so they've given up trying. This I feel needs to be changed. If this is a new rule/law, then it needs to be changed. Also non-acceptance of different signing styles SEE vs. ASL has been a touchy issue."

R10. "Education"

R11. "We need more workshops in North Alabama."

### **Provisional Respondents:**

4 No Response

R1. "I think we have a lack of interpreters and I think the cost and the lack of time and information makes it difficult."

R2. "—requiring a written test in AL, then going to FL or MS - they require another written test (same material) and then performance double costs for testing, as well as membership in professional groups for both states.

---making no provision for long term (no more than 10 years) interpreters to work – transfers are hit with a lot – but these rules are making decisions not to work very easy to make – I can go to work at manpower and not have to worry – I had planned to work for another 3/4 years but now – not positive I will."

R3. "I have the non-renewal permit and am currently awaiting scores from the EIPA. However, I don't think one year is enough time to earn credentials considering there is

not state test and any national level certification is so far behind and sometimes difficult to schedule. I still need a written test to get my certification.”

R6. “Lack of interpreters to meet the demand. The provisional permit allows individuals to work while taking and passing the necessary tests for a renewable permit. However, the one year time frame and the inability to renew the provisional permit creates tremendous stress for the individual that could affect test performance negatively.”

R8. “For me personally, I receive very little support and encouragement in obtaining my provisional permit. I was told by several people that I could not have any letters of recommendations written for me because I had not taken and passed the code of ethics exam first. I spoke to [REDACTED] in Montgomery and she told me I could get my 3 letters prior to taking and passing the exam. I had to go outside my area to meet with Interpreters. I understand that rules are in place for a reason, but I felt like I was being shut out and encouraged to find another profession. I worry about future Interpreters having adequate support and help in becoming licensed.”

R10. “Although the Alabama Licensure Board for Interpreters and Transliterators provides opportunities for continuing education, acquiring specific skills through continuing education (those required to pass performance of RID, NIC) still is an issue.”

**10. Do you think the Alabama Licensure Board for Interpreters and Transliterators and its staff are satisfactorily performing their duties?**

	<b>Yes</b>	<b>No</b>	<b>Unknown</b>	<b>No Opinion</b>	<b>No Response</b>
<b>Licensed</b>	22	10	11	5	
<b>Permitted</b>	17	2	8	6	
<b>Educational</b>	6	5		1	
<b>Provisional</b>	2		6	2	
<b>Total</b>	47	17	25	14	

**Licensed Respondents:**

R1. “Historically, no—Currently, yes”

R2. “Particularly in areas where policy changes are implemented. When NAD3’s and EIPA were incorporated to license states, the membership was not adequately notified. Also, the grievance process is not being adequately utilized and not being promulgated.”

R7. “Not sure at this time”

R11. “(Timeliness and losing applications)”

R12. “The only duties that impact me are the renewal process. The other things the Board does are not readily visible to most.”

R18. “The only problem I have seen is the chairperson obtaining employment at a certain location so he could find out who was working there with and without a license or a permit, then report the violators. I do not have a problem with reporting people who are interpreting without a license or a permit, but I feel it was a conflict of interest for the chairperson of the board to do it in this manner.”

R28. “I am very concerned about some members of the board having conflicting roles. Several are members and employees of hiring agencies; this conflict has manifested itself in unethical behavior by some members of the board. This, unfortunately, has been to the detriment of our interpreter and deaf communities.”

**Permitted Respondents:**

R10. “(in most areas) However, I do not agree with an amendment to make a four year degree mandatory.”

R20. “All contacts that I have had with them were satisfactory.”

**Educational Respondents:**

R2. “Board only, the office staff is very nice”

R7. “ref: school systems”

R8. “Very little communication until it is time to pay your renewal fees again!”

R10. “Because there are people that is working in the educational system that is not licensed.”

**11. Has any member of the Alabama Licensure Board for Interpreters or Translitrators or its staff asked for money (other than normal fees), services, or any other thing of value in return for performing a board service for you?**

	Yes	No	Unknown	No Opinion	No Response
<b>Licensed</b>		48			
<b>Permitted</b>		33			
<b>Educational</b>		12			
<b>Provisional</b>		10			
<b>Total</b>		103			

**Licensed Respondents:**

R15. “We need tighter regulation on interpreters in schools.”

R20. “The folks at ALBIT are doing a much better job and it is appreciated.”

R29. “It has been brought to my attention that a specific board member has engaged in un-professional discussions regarding other interpreters. It needs to be emphasized that, especially board members, should not act in this manner or engage in this type of behavior. Board members are held to a higher standard, and are expected to abide by these standards. Board members are to remain neutral parties in the interpreting/Deaf community. Thank you.”

**Permitted Respondents:**

R23. “I would like to praise [REDACTED] for being so helpful when I called to get my permit. She was very knowledgeable and very polite. She made me feel welcome to work in your state.”

R31. “But the requirements for CEU’s only serve to line the pockets of those who provide workshops and perpetuate false concepts about deafness. Your survey should include parents of mainstreamed elementary students and others not associated with state funded agencies.”

**Educational Respondent:**

R7. “Keep the law, but enforce it with the State Dept. of Education.”

**Provisional Respondent:**

R10. “I would like to express that I feel an interpreter who moves to Alabama should have some type of grace period so they may begin working until a time when they should have taken the necessary evaluations to get their provisional. It could take about 3 months or so to achieve this and I don’t think it’s fair for an interpreter coming from a state that doesn’t require licensure (permit) to be denied (especially if they are qualified).”

# APPENDICES

## SMART Performance Reports

Smart Quarterly Performance Report											
Fiscal Year: 2007											
Agency: 370 Interpreters and Translators, Alabama Licensure Board											
Org:											
Program: 653 PRO AND OCCU LICENSING AND REG											
Activity:											
Performance Measures		First Quarter		Second Quarter		Third Quarter		Fourth Quarter		Annual	
Workload/Cost Factor	Performance Indicator	Projected	Actual	Projected	Actual	Projected	Actual	Projected	Actual	Projected	Actual
WC1: Number of licenses and permits issued	Number	10	0	175	0	15	9	15	7	215	0
WC2: Complaints investigated	Number	7	0	3	0	3	0	3	0	16	0
WC3: Board Members' pro bono travel time, plus training for, researching, and actually preparing required state reports	Man hours	50 hours	0	50 hours	30	50	10	50	0	200	0
WC4: Board Committee Members' research, development and implementation of strategies for strengthening the Licensure Law's presence and impact on behalf of the deaf	Man hours	30	0	30	60	30	10	30	0	120	0
Spending	Performance Indicator	Projected	Actual	Projected	Actual	Projected	Actual	Projected	Actual	Projected	Actual
SP1: Professional services Object 0800	Dollars	10,001	0	2,733	0	2,733	7500	2,733	7,500	18,200	0
SP2: Travel in state Object 0300	Dollars	3,000	0	700	200	700	300	700	0	5,100	0
SP3: Supplies, materials, operating expenses	Dollars	2,000	0	400	0	300	100	300	0	3,000	0
SP4: Equipment purchases	Dollars	2,000	0	0	0	0	0	0	0	2,000	0
SP5: Utilities and communication and postage Object 0700	Dollars	500	0	300	0	200	0	200	0	1,200	0
SP6: Personnel costs including benefits	Dollars	0	0	0	0	0	0	0	0	0	0

Staffing	Performance Indicator	Projected	Actual	Projected	Actual	Projected	Actual	Projected	Actual	Projected	Actual
ST1: Board Administrator for managing Board's affairs to complete state requirements	Dollars	6,250	0	6,250	0	6,250	7,500	6,250	7,500	25,000	0
ST2: Contracted Investigator for complaints	Dollars	150	0	150	0	150	0	150	0	600	0
ST3: Sign Language Interpreters for meetings	Dollars	500	0	500	0	500	0	500	0	2,000	0
Efficiency	Performance Indicator	Projected	Actual	Projected	Actual	Projected	Actual	Projected	Actual	Projected	Actual
EF1: Administrative cost spent per license, permit, complaint investigation, not including volunteer man hours	Dollars based on Expenses / # interpreters	0.5	0	0.5	0	0.5	3.6	0.5	0	2	0
Quality	Performance Indicator	Projected	Actual	Projected	Actual	Projected	Actual	Projected	Actual	Projected	Actual
QU1: Percentage of calls and mailings answered within 8-10 business days	Per cent	75	0	90	0	95	100	95	95	89	0
QU2: Percentage of applications processed within 15 business days	Per cent	60	0	90	0	95	100	95	95	85	0
QU3: Percentage of notices sent to all working interpreters who did not renew licenses or permits	Per cent	30	0	80	0	90	100	95	100	74	0
QU4: Percentage of reported interpreting without a license documented violations submitted to the District Attorney	Per cent	50	0	90	0	95	0	98	95	83.25	0
QU5: Percentage of complaint investigations initiated within 60 days of notice	Per cent	50	0	80	0	85	0	90	95	76.25	0

How have policy decisions and budget determinations made by the governor and the legislature in the fiscal year 2005-06 affected your agency in meeting its desired accomplishments and services?

No Answer Available

What administrative improvements did your agency make in fiscal year 2005-06 and what potential improvements do you foresee for future years? Include suggested changes in legislation or administrative procedures which would aid your agency in these improvements.

No Answer Available

## 2008 SMART Performance Report

Agency:	370 – Interpreters and Transliterators, Alabama Licensure Board for	Program:	653 – PRO AND OCCU LICENSING AND REG							
Organization	-	Activity:	-							
Mission:	The mission of the Alabama Licensure Board for Interpreters and Transliterators is to courteously serve the people of Alabama, with efficiency and transparency, to ensure that interpreting services in Alabama are of such quality and quantity that those professional services protect the rights, health, safety, and welfare of each Alabamian, of any age, who is deaf, hard of hearing, or speech impaired who desire to use interpreting services.									
Workload Measures and Quarterly Projections										
	First Quarter		Second Quarter	Third Quarter		Fourth Quarter		Annual		
Workload Measure	Projected	Actual	Projected	Actual	Projected	Actual	Projected	Actual	Projected	Actual *
W1: Number of licenses and permits issued	10	3	175	0	100	0	15	0	300	0
W2: Number of complaints investigated	1	0	2	0	5	0	2	0	10	0
* Actual workload data is not currently available for this quarter.										

Key Goal:											
Goal 1	To regulate the practice of interpreting and transliterating on behalf of consumers of all ages who are hard of hearing deaf, or speech disabled in the best interests of their health, safety, and welfare.							Governor's Priority:		4	
Objectives and Quarterly Targets:											
Performance Measures		First Quarter		Second Quarter		Third Quarter		Fourth Quarter		Annual	
Objectives	Unit of Measure	Target	Actual	Target	Actual	Target	Actual	Target	Actual	Target	Actual *
(Q1-Efficiency) Administrative cost spent per license, permit, or complaint investigation	Dollars based on expenses / # interpreters	200	0	200	0	200	0	200	0	200	0
* Actual performance data is not currently available for this quarter.											

## **Statutory Authority**

### **CHAPTER 16. INTERPRETERS AND TRANSLITERATORS.**

#### **§ 34-16-1. Short title; construction.**

*Current through End of 2007 Regular Session.*

(a) This chapter shall be known as the "Alabama Licensure for Interpreters and Transliterators Act."

(b) This chapter shall be liberally construed and implemented to promote the purposes and policies set forth herein.

(Act 98-675, p. 1480, § 1.)

#### **§ 34-16-2. Legislative intent.**

*Current through End of 2007 Regular Session.*

The Legislature declares that it is in the best interest of the public health, safety, and welfare to regulate the practice of interpreting and transliterating on behalf of consumers who are hard of hearing, deaf, or speech disabled by licensing and permitting the providers of interpreting and transliterating services, and establishing and monitoring interpreting and transliterating standards in the State of Alabama.

(Act 98-675, p. 1480, § 2.)

#### **§ 34-16-3. Definitions.**

*Current through End of 2007 Regular Session.*

For purposes of this chapter, the following terms shall have the following meanings:

(1) Board. The Alabama Licensure Board for Interpreters and Transliterators, created pursuant to Section 34-16-4.

(2) Code of ethics. The tenets established by the Registry of the Interpreters for the Deaf which set guidelines governing professional conduct for interpreters and transliterators, and any other code of ethics approved by the board.

(3) Consumer. A hard of hearing, deaf, or speech disabled person or any other person or an agency that requires the services of an interpreter or transliterator to effectively communicate and comprehend signed or spoken discourse.

(4) Continuing Education Program or CEP. A program approved by the board to improve the skill level of licensees and permit holders.

(5) Fund. The Alabama Licensure Board for Interpreters and Transliterators Fund, created pursuant to Section 34-16-9.

(6) Intermediary interpreter. A person who is credentialed as an interpreter and who serves in an intermediary capacity between another deaf person and another licensed or permitted interpreter or between two or more deaf persons.

(7) Interpreter. A person who is credentialed as a professional interpreter and who engages in the practice of interpreting among consumers. Fluency in all languages interpreted is required.

(8) Interpreting or transliterating. The process of providing accessible communication between and among consumers who do not share a common means of communication. For the purposes of this chapter, interpreting means those processes known as interpretation and transliteration and includes communication modalities, including, but not limited to, visual, gestural, and tactile channels.

(9) Nationally recognized certification. A certification awarded to individuals who successfully complete an evaluation of interpreting skills at a professional level. The term includes a Registry of Interpreters for the Deaf certification, or an equivalent such as the National Association for the Deaf/Alabama Association for the Deaf Interpreter Assessment Program Level 4 or Level 5, or Cued Speech Certification at a national level.

(10) Organizations. The Alabama Association of the Deaf (AAD), a state chapter of the National Association of the Deaf (NAD); Alabama Registry of Interpreters for the Deaf (ALRID), an affiliate state chapter of the Registry of Interpreters for the Deaf, Inc., (RID).

(11) Sign language. Includes all of the following communication systems:

a. American Sign Language (ASL) Based. The language of the deaf community that is linguistically independent from English. The term refers to the visual gestural language used in the United States and parts of Canada and includes all regional variations.

b. English Based Sign Systems. Includes, but is not limited to, all visual representations of the English language such as manually coded English, Pidgin Sign English, and Oral Interpreting.

c. Sign Language. A generic term used to describe a continuum of visual-manual language and communication systems.

d. Cued Speech. A system of handshapes which represents groups of consonant sounds, combined with hand placements which represent groups of vowel sounds, used with natural speech to represent a visual model of spoken language.

(12) Transliterator. A person who is credentialed as a professional transliterator and who engages in the practice of transliteration between consumers utilizing two different modes of the same language. Fluency in both modes of language is required.

(Act 98-675, p. 1480, § 3.)

#### **§ 34-16-4. Licensure Board for Interpreters and Transliterators -- Creation; composition; meetings; duties; compensation.**

*Current through End of 2007 Regular Session.*

(a) There is created the Alabama Licensure Board for Interpreters and Transliterators.

(b) The board shall consist of nine members appointed by the Governor as follows:

(1) Four members certified as interpreters or transliterators at a professional level

by a nationally recognized certification, one of whom shall work in an educational setting. A list of three nominations for each of these positions shall be submitted to the Governor by ALRID.

(2) Three deaf or hard of hearing members who are knowledgeable in the field of professional interpreting. A list of three nominations for each of these positions shall be submitted to the Governor by AAD.

(3) Two members at-large who have an interest in and are experienced in dealing with issues that affect the deaf, hard of hearing, and interpreting communities.

(c) All members of the board shall be citizens of the United States and the State of Alabama. In appointing members to the board, the nominating organizations and the Governor, to the extent possible, shall select those persons whose appointments ensure that the membership of the board is inclusive and reflects the racial, gender, geographic, urban/rural, and economic diversity of the state.

(d) A list of three nominees for each position, except for the at-large positions, shall be submitted to the Governor by the designated organizations by October 1, 1998. The initial terms shall begin January 1, 1999.

(e) The initial members of the board shall serve the following terms as designated by the Governor:

(1) Four of the initial members shall serve for two years.

(2) Three of the initial members shall serve for three years.

(3) Two of the initial members shall serve for four years.

(f) Subsequent terms of office shall be four years. No board member may serve more than two consecutive terms. In the event of a vacancy, the Governor shall fill the vacancy from the remaining names on the list of nominees for that position. Each board member shall serve until his or her successor is duly appointed and qualified.

(g) At its first meeting each year, the board shall elect a chair, a vice chair, and a secretary. No member shall be elected to serve more than two consecutive years in the same office.

(h) After the initial appointments to the board are made, the board shall meet by January 31 of the following year for the purpose of organizing and transacting business as may properly come before the board. Subsequently, the board shall meet not less than twice annually, and as frequently as it deems necessary, at such time and places as it designates. A quorum necessary to transact business shall consist of five of the members of the board.

(i) The board shall have all of the following duties:

(1) Act on matters concerning licensure and permitting, and the process of granting, suspending, reinstating, and revoking a license or permit.

(2) Set a fee schedule for granting licenses and permits, for renewing licenses and permits, for reinstating a lapsed license or permit, and for assessing penalties for late renewal. The fees shall be sufficient to cover the cost of the continued operation and administration of the board.

(3) Develop a mechanism for processing applications for licenses, permits, and renewals.

(4) Establish a procedure to enable the investigation of complaints concerning the violation of ethical practices for licensed or permitted interpreters.

(5) Maintain a current register of licensed interpreters and a current register of

permitted interpreters. These registers shall be matters of public record.

(6) Maintain a complete record of all board proceedings.

(7) Submit an annual report detailing the proceedings of the board to the Governor and file a copy with the Secretary of State.

(8) Adopt continuing education requirements no later than October 1 of the year in which the initial board is appointed. These requirements shall be implemented by January 1 of the year following for renewal of a license or permit.

(j) Board members shall receive the same travel expenses and per diem as state employees pursuant to Article 2 of Chapter 7 of Title 36 and incidental and clerical expenses necessarily incurred in carrying out this chapter. The compensation and expenses shall be paid out of the funds of the board. Reimbursement shall not be made if available funds are insufficient for this purpose.

(Act 98-675, p. 1480, § 4; Act 2002-80, p. 254, § 3; Act 2003-66, p. 104, § 3.)

#### **§ 34-16-5. License required; application; issuance; renewal.**

*Current through End of 2007 Regular Session.*

(a) After March 15, 1998, any person who provides interpreting or transliterating services for remuneration shall be required annually to be licensed or permitted by the board unless that person is exempt from licensure or permitting pursuant to Section 34-16-7.

(b) The initial license shall be issued upon submission of an application, an affidavit documenting current validation of a nationally recognized certification as approved by the board, and payment of the required nonrefundable annual fee by March 15. Licenses shall be renewed annually, upon submission of an application and an affidavit documenting current nationally recognized certification at a professional level as approved by the board, payment of the required nonrefundable annual fee, and participation in a continuing education program approved by the board.

(c) All applicants for licensure who are initially certified after January 1, 1995, shall submit an affidavit documenting that the applicant has passed an interpreter code of ethics exam approved by the board.

(d) Failure to renew a license on or before March 15 of any year, shall result in a lapse of the license. A lapsed license that is not renewed within 45 days after March 15 of the year of the lapse shall expire. The holder of the lapsed license may be reinstated by the board if the licensee is in compliance with all other relevant requirements of the board, applies to the board for renewal pursuant to this section, and pays the appropriate renewal, late penalty, and reinstatement fees prescribed by the board.

(Act 98-675, p. 1480, § 5; Act 2002-80, p. 254, § 3; Act 2003-66, p. 104, § 3.)

**§ 34-16-6. Permit to practice; renewal; ethics examination; lapse of permit.**

*Current through End of 2007 Regular Session.*

(a) Any person who practices as an interpreter or transliterator for remuneration on August 1, 1998, but who does not otherwise meet the requirements for licensure, may obtain a renewable permit to practice interpretation or transliteration. An initial permit shall be issued upon submission of the application, documentation of a high school diploma or GED, current employment as an interpreter, and payment of the nonrefundable annual fee. Any person who does not obtain an initial permit by March 15, 1999, may obtain a nonrenewable provisional permit to practice interpretation or transliteration upon the submission of the application, documentation of a high school diploma or GED, payment of the nonrefundable fee, and submission of three letters of recommendation from licensed interpreters that verify the skill level of the applicant.

(b) In subsequent years, permit holders and nonrenewable permit holders may apply for a renewable annual permit that shall require the submission of an affidavit and supporting materials documenting that the applicant has passed an interpreter code of ethics exam as approved by the board and an interpreting performance assessment approved by the board, the payment of the required nonrefundable annual fee, and the participation in a continuing education program approved by the board. The affidavit shall be submitted no later than March 15 annually.

(c) Subsequent renewal of a permit by a cued speech transliterator shall require submission of an affidavit and supporting materials documenting that the applicant has passed an interpreter code of ethics exam as approved by the board and payment of the required nonrefundable annual fee and participation in a continuing education program approved by the board. The affidavit shall be submitted no later than March 15 annually.

(d) Failure to renew a permit on or before March 15 of any year, shall result in a lapse of the permit. The holder of the lapsed permit may be reinstated by the board if the permittee is in compliance with all other relevant requirements of the board, applies to the board for renewal pursuant to this section, and pays the appropriate renewal, late penalty, and reinstatement fees prescribed by the board.  
(Act 98-675, p. 1480, § 6; Act 2002-80, p. 254, § 3.)

**§ 34-16-7. Exemptions.**

*Current through End of 2007 Regular Session.*

The following persons shall be exempt from licensure or permitting pursuant to this chapter:

(1) Any student who is enrolled in a formal American sign language program, a formal interpreter training program, or a formal interpreter or transliterator internship program. The student shall be allowed to interpret or transliterate as part of his or her training for a maximum of 16 weeks in an educational setting or 120 hours in an agency or business.

(2) Any person who interprets or transliterates solely in a church, synagogue, temple, or other religious setting.

(3) Any person residing outside of the State of Alabama may provide interpreting and transliterating services for up to 14 working days per calendar year without a license.

(4) Any person desiring to interpret for remuneration where circumstances do not allow for fulfillment of the stated requirements for licensure or permitting may petition the board for exemption status.

(5) Those public education personnel and State Department of Rehabilitation personnel, who are not hired as interpreters and transliterators and who are not as a part of their job description responsible for providing interpreting or transliteration services, in circumstances that may necessitate their function as interpreters and transliterators in emergency or incidental situations.

(6) All other public education personnel hired prior to March 15, 2000, who provide interpreting and transliterating services to students. These personnel shall apply for and receive a permit specifying that their permits are restricted to interpreting and transliteration services provided in the public education setting only. The application for this permit shall be submitted to the board prior to October 1, 2000. It shall be the responsibility of the permit holder to annually renew the permit by earning continuing education units in compliance with the requirements of the interpreters and transliterators licensure law. If personnel, who have been grandfathered in pursuant to this subdivision, for any reason should allow their permits to lapse or expire, those personnel shall lose all privileges of this exemption and shall adhere to all requirements of the interpreters and transliterators licensure law to renew their permits.

(Act 98-675, p. 1480, § 7; Act 2000-755, p. 1711, § 1.)

#### **§ 34-16-8. Reciprocity agreements authorized.**

*Current through End of 2007 Regular Session.*

(a) The board may enter into a reciprocal agreement with any state, agency, or other organization that licenses, certifies, or registers professional interpreters or transliterators, or both, if the board finds that the state, agency, or organization has substantially the same requirements or more stringent requirements.

(b) The reciprocity agreement shall provide that the board shall license anyone who is currently licensed, certified, or registered in that state or by that agency or other organization if that state, agency, or other organization agrees to license, certify, or register any practitioners who are currently licensed pursuant to this chapter.

(c) The board shall set by regulation the fees appropriate in processing reciprocity.  
(Act 98-675, p. 1480, § 8.)

#### **§ 34-16-9. Annual fee; fund.**

*Current through End of 2007 Regular Session.*

(a) The annual fee may be increased or decreased by the board, provided, the board

shall not set an annual fee at an amount which would not provide sufficient revenues to pay all the costs and expenses incurred by the board in enforcing this chapter.

(b) The annual fee shall cover a license or permit for the 12-month period beginning March 15 of each year.

(c) There is created in the State Treasury the Alabama Licensure Board for Interpreters and Translators Fund. All fees collected by the board shall be paid into the State Treasury to the credit of the fund. Monies in the fund shall be subject to withdrawal only upon warrant of the State Comptroller to be issued upon certification of the secretary or treasurer of the board.

(d) Any funds remaining in the State Treasury to the credit of the board at the end of each year in excess of two hundred fifty thousand dollars (\$250,000) shall be available to provide for the education and training of interpreters and translators in postsecondary programs. At all times the board may retain a sum not in excess of two hundred fifty thousand dollars (\$250,000) to meet any emergency which may affect the efficient operation of the board. No funds shall be withdrawn or expended except as budgeted and allocated pursuant to Sections 41-4-80 to 41-4-96, inclusive, and Sections 41-19-1 to 41-19-12, inclusive, and only in amounts as stipulated in the general appropriations bill or other appropriations bills. There shall be appropriated from the fund to the board for the fiscal years 1997-1998 and 1998-1999 an amount deemed necessary by the board to fund the costs of its operations.

(Act 98-675, p. 1480, § 9.)

#### **§ 34-16-10. Application for license or permit; issuance; rejection.**

*Current through End of 2007 Regular Session.*

(a) Any person may apply for a license or a permit pursuant to this chapter by filing a written application on a form prescribed by the board not less than 30 days prior to the next meeting of the board. The application shall be accompanied by the payment of the annual nonrefundable license fee or permit fee. The credentials of the applicant shall be reviewed according to the rules of the board.

(b) If the board finds the credentials in order, a license or permit shall be issued to the applicant.

(c) If the board rejects the credentials, the applicant will be notified in writing informing him or her of the reasons for rejection.

(Act 98-675, p. 1480, § 10.)

#### **§ 34-16-11. Charges of fraud, deceit, etc., against holder of license or permit; hearing; appeal; reapplication.**

*Current through End of 2007 Regular Session.*

(a) Any person may bring charges of fraud, deceit, negligence, incompetence, or misconduct against a licensee or permit holder. All charges shall be made in writing or by video tape and sworn to by the person making the charges. All charges shall be

submitted to the chair of the board within 90 days of the alleged occurrence. After a review of the charges, the board shall conduct a hearing at which it may dismiss the charges, or may impose a fine not to exceed one thousand dollars (\$1,000), or may suspend or revoke the license or permit of the person charged.

(b) The licensee or permit holder may appeal a decision of the board imposing an administrative fine or revoking or suspending a license or permit by submitting a request to the board for reconsideration within 90 days following the decision of the board. If no resolution is achieved, further appeals shall be submitted to the circuit court in the jurisdiction of the residence of the licensee or permit holder. Any licensee or permit holder whose application for renewal of licensure or permitting was denied or whose license or permit was revoked may reapply after 12 months. The board may then reissue a license or permit or rescind any disciplinary action if a majority of the members, which shall be no less than four members, vote in favor of the action.

(Act 98-675, p. 1480, § 11.)

#### **§ 34-16-12. Rules and regulations.**

*Current through End of 2007 Regular Session.*

The board may promulgate rules and regulations necessary to implement this chapter and accomplish its objectives. The rules and regulations shall be published in the Standards of Professional Practice and made available to all licensees and permit holders. The rulemaking powers of the board are subject to the Administrative Procedure Act, Sections 41-22-1 to 41-22-27, inclusive.

(Act 98-675, p. 1480, § 12.)

#### **§ 34-16-13. Violations; penalties.**

*Current through End of 2007 Regular Session.*

After January 1, 1999, any person who undertakes or attempts to undertake the practice of interpreting or transliterating for remuneration among consumers without first having procured a valid license or permit, or who knowingly presents or files false information with the board for the purpose of obtaining a license or permit, or who violates this chapter shall be guilty of a Class C misdemeanor. A person who is not licensed or permitted may not bring or maintain an action to enforce any contract for interpreting or transliterating services which he or she entered into in violation of this chapter. Whenever it appears to the board that any interpreter or transliterator has violated or is about to violate this chapter, the board may, in its own name, petition the circuit court of the county where the violation occurred or is about to occur to issue a temporary restraining order enjoining the violation.

(Act 98-675, p. 1480, § 13.)

**§ 34-16-14. Actions by board to recover damages; liability of board members.**

*Current through End of 2007 Regular Session.*

(a) The board may sue and be sued in its own name to recover actual or compensatory damages, including interest and court costs, sustained within the State of Alabama as the result of conduct of any licensee or permit holder who violates this chapter or the rules and regulations of the board.

(b) All members of the board shall be immune from civil liability while acting within the scope of their duties as board members.

(Act 98-675, p. 1480, § 14.)

**§ 34-16-15. Notification of conviction or pending civil action; breach of professional ethics, etc.**

*Current through End of 2007 Regular Session.*

(a) A licensee or permit holder shall notify the board within 10 days of any felony conviction, and within 10 days of a civil action being brought against the licensee or permit holder, if the civil action arose from an interpreting or transliterating transaction or involves the goodwill of a licensee or permit holder or an existing interpreting or transliterating business or agency. The notification shall be in writing, sent by certified mail, and include a copy of the judgement.

(b) Allegations of breach of professional ethics or conduct incompatible with the Standards of Professional Practice as determined by the board may be brought against a licensee or permit holder by any individual, business, or agency.

(Act 98-675, p. 1480, § 15.)

**§ 34-16-16. Sunset provision.**

*Current through End of 2007 Regular Session.*

The board shall be an enumerated board pursuant to Sections 41-20-1 to 41-20-16, inclusive, and shall be reviewed at the same time as the State Board of Medical Examiners.

(Act 98-675, p. 1480, § 16.)



## **Board Members**



Bob Riley  
Governor

### **STATE OF ALABAMA ALABAMA LICENSURE BOARD FOR INTERPRETERS AND TRANSLITERATORS**

7550 Halcyon Summit Drive, Suite 125 (36117)  
Post Office Box 240187  
Montgomery, Alabama 36124  
Telephone (334) 277-8881  
Fax (334) 277-0188  
[www.albit.state.al.us](http://www.albit.state.al.us)

April 23, 2008

Alabama Department of Examiners of Public Accounts  
Attn: Ms. Janet Berry  
Post Office Box 302251  
Montgomery, Alabama 36130-2251

Dear Ms. Berry:

The following are the current Board Members for the Alabama Licensure Board for Interpreters & Translators as requested for the Sunset Review Audit:

**Melvin Walker, Chair**  
3000 Johnson Road  
Huntsville, AL 35805  
*ALRID Representative*  
Term: January 1, 2006 to December 31, 2009  
Male, Caucasian

**Judith M. Gilliam, Vice Chair**  
1002 Tomahawk Drive  
Talladega, AL 35160  
*AAD Representative*  
June 21, 2005 to December 31, 2008  
Female, Caucasian

**Cynthia Frey, Secretary**  
4309 Bridgewater Circle  
Phenix City, AL 36867  
*ALRID Representative*  
Term: June 21, 2005 to December 31, 2008  
Female, Caucasian

Ward Beeson  
Attorney General's Office Legal Advisor

**Lisa Gould**  
1050 Government Street  
Mobile, AL 36604  
*ALRID Representative*  
Term: June 21, 2005 to December 31, 2008  
Female, Caucasian

**Janice Hawkins**  
E-mail: [jhawkins@ALSDE.edu](mailto:jhawkins@ALSDE.edu)  
Troy, AL  
*At-large Representative*  
Term: January 1, 2006 to December 31, 2009  
Female, Caucasian

**Ricky Holman**  
1907 Hilltop Drive  
Dothan, AL 36303  
*AAD Representative*  
Term: June 21, 2005 to December 31, 2008  
Male, Caucasian

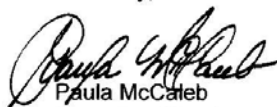
**Kathleen Ryan Marcopulos**  
1425 Polaris Drive  
Mobile, AL 36693-4650  
*AAD Representative*  
Term: May 4, 2007 to December 31, 2010  
Female, Caucasian

**Lori B. Pituk**  
2149 Taddish Drive  
Mobile, AL 36695-6305  
*ALRID Representative*  
Term: May 4, 2007 to December 31, 2010  
Female, Caucasian

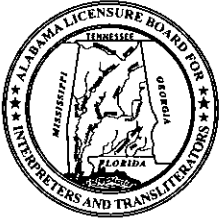
**Patricia M. Sheets**  
4104 Churchill Drive  
Birmingham, AL 35213  
*At-large Representative*  
Term: January 1, 2006 to December 31, 2009  
Female, Caucasian

Please notify me if any additional information is required. Thank you.

Sincerely,

  
Paula McCaleb  
Executive Director

## **RESPONSE TO SIGNIFICANT ITEMS**



**STATE OF ALABAMA**  
**ALABAMA LICENSURE BOARD**  
**FOR**  
**INTERPRETERS AND TRANSLITERATORS**

Bob Riley  
Governor

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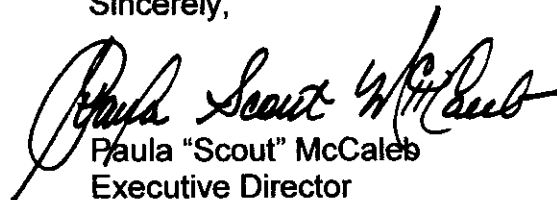
July 17, 2008

Mr. John E. Norris  
Director, Operational Division  
Department of Examiners of Public Accounts  
50 North Ripley Street, Room 3201  
Montgomery, Alabama 36104-3833

Dear Mr. Norris:

Attached is the Licensure Board for Interpreters & Transliterators' response to the items that will appear in the report to the Sunset Review Committee. Please contact me if any additional information is needed or if you would like to discuss this response. Thank you.

Sincerely,

  
Paula "Scout" McCaleb  
Executive Director

**Board Members:**

Melvin Walker, Chair  
Judith Gilliam, Vice Chair  
Lisa Gould, Secretary  
Ricky Holman  
Cynthia Frey

Janice Hawkins  
Ryan Marcopulos  
Lori Pituk  
Patti Sheets

## **ALBIT Response to Significant Items**

1. **The board licenses and/or permits four categories of Interpreters but does not license or permit transliterators.** The board's licensing law provides for the licensing of transliterators as well as for the licensing of interpreters. Throughout the board's licensing law, the word transliterator and/or transliteration is used. The classification of licensee is found in the board's Administrative Code Chapter 488-X-1; in the board's request for funding; on the board's Internet website; and on associational (national and state) web sites. However, the board does not license or permit transliterators. RESPONSE: This finding is in error. The Board does license and permit transliterators. The terms interpreter and transliterator can easily be misunderstood because they are often used interchangeably. An interpreter is proficient in one sign language while a transliterator is proficient in a sign language that is a combination of two sign languages. Rule 488-X-1-.04(2)(c)(1) provides that a license may be obtained on submission of a "[c]urrent RID certified membership card." The Registry of Interpreters for the Deaf ("RID") is the nationally recognized certification approved by the Board. RID issues a certificate of transliteration in addition to a certificate of interpretation, both of which are recognized by the Board. The Board has approved a number of tests in Rule 488-X-1-.06(c)(4) that may be passed in order to obtain a permit, one of which, in Rule 488-X-1-.06(c)(4) (iii), the "Educational Interpreter Evaluation," despite its name, is actually a test for transliterators.
2. **The board did not provide performance data for the 2007 fiscal year SMART quarterly performance report.** Although the board developed performance goals and objectives for the 2007 fiscal year, actual performance data was not reported for the first two quarters or for the year in total. RESPONSE: This was an oversight during a time when the board had no staff and then during the transition to a management company. This finding has now been resolved in 2008 with a new SMART Plan being developed that allows data to be obtained and measured in order to report accurate information and is now reported quarterly.
3. **Five of the seven board members responding to our questionnaires indicated the need for additional funding as a significant issue facing the board.** The average annual total of fees collected by the board was \$9,664.50 over the past four fiscal years. The board was able to obtain grants from the Alabama Institute for the Deaf and Blind of \$25,000 (2006) and \$15,000 (2007); however, as of July 2, 2008, no additional grants had been received. At its current level of fee collections, the board will not be able to sustain its monthly contract payment of \$2,500 for administrative services. RESPONSE: The board secured funding through the Public Service Commission in 2006/2007 for a total of \$40,000 and this funding was promised to be renewed on an annual basis for the cost of administration of the licensure program (to hire staff, provide office space, furniture and equipment). However, the board has now been advised by the Public Service Commission that this funding will not be continued as originally advised. The board has requested a meeting with the Public Service Commission and also has submitted a written request to appear on the Agenda of the next Public Service Commission Meeting in order to resolve this misunderstanding. The board will continue to strive to obtain funding for this much needed licensure program through the PSC and related Associations. The board welcomes the Sunset Review Committee's guidance on this issue as well.